

**ALEXANDRIA TOWNSHIP COMMITTEE MEETING
MINUTES
July 8, 2015**

This meeting was advertised in the Hunterdon County Democrat, notice posted in the Alexandria Township Municipal Offices and the Alexandria Township Website, (www.alexandria-nj.us) as required by the Open Public Meetings Act.

Meeting Called to order at 7:37 PM.

ROLL CALL: Committeeman Pfefferle, Committeeman Swift, Mayor Abraham, and Attorney Dragan were present.

FLAG SALUTE:

COMMITTEE REPORTS:

- ENVIRONMENTAL COMMISSION REPORT:

No report

- FARMLAND/OPEN SPACE:

Chair Bill Fritsche noted that the proposed Penn East Pipeline will impact Kappus Farm, the only preserved farm in the projected route. The Open Space Commission met this evening and will be visiting two big farms in town and talk to the owners about entering into the preservation program. Chair Fritsche touched upon the following pending properties:

- Papazian - has a problem with mortgage
- Zander- The Hunterdon County Ag Board has the responsibility to have a surveyor go out
- Jacobson-Bohren & Bohren has forwarded survey to Township Atty. Dragan
- Diocese of Metuchen- Surveyor was notified of award
- Kluber-Received green light from the State Agriculture Development Committee. Comm. Pfefferle made a motion, seconded by Comm. Swift to have Township Atty. Dragan move forward with securing appraisals for the property. **ROLL CALL: Comm. Swift; yes, Comm. Pfefferle; yes, Mayor Abraham, yes.**
- PARK & RECREATION REPORT: No Report
- ROAD CHAIRMAN'S REPORT:

Road Chair Comm. Swift read the following report prepared by DPW Foreman Glen Griffith:

Municipal building:

- a) Finished deck
- b) Poured concrete for the light posts footers
- c) Started pulling wire thru the conduits
- d) Started installing light posts
- e) Parking lot lights and the sidewalk bollards will be on a photo cell and a timer.

Park:

- a) Turf maintenance
- b) Repaired light on the front of Park building (globe was falling off)
- c) Installed flashing on the roof where the old electric line came in

Worked on 1 detention basin off of Stonewicke Drive:

- a) Removed all the debris, silt, stones, etc. down to the original design
- b) Replaced with 4"-7" rip-rap stone
- c) Repaired channel down to the basin

Asphalt repairs on Schoolhouse Rd. approx. 1500' off Rt. 513

Roadside mowing-first round is complete

Spot grading on all the gravel roads

Ordered 2 pre-cast inlets to be installed on Dark Hollow Lane (drainage inlets)

Equipment maintenance-on-going

Inlets/Detention Basins:

Comm. Swift noted that Alexandria Township has approximately 820 inlets. Some have been repaired and brought up to current standards. There are many that need repair and replacing in the next 10 years. Detention basins are another problem. Some detention basins are the Township's responsibility and others are Home Owner Association responsibility. Some detention basins have had no maintenance. There are trees growing in them and they overflow onto properties. Comm. Swift noted that to repair a detention basin is a labor intensive job. Comm. Swift is proposing that inlets that require immediate repair be done by the DPW. The Township will get prices from contractors to see what the costs would be to have a private contractor do the repairs and to put together a program where 40-50 a year can be replaced. DPW Foreman Glenn Griffith noted that approximately 10% of the Township's inlets have been repaired. DPW Foreman Glen Griffith noted that there are approximately 50 inlets that need to be repaired at this time that are complete failures. Some of these are on Shy Creek Road and Stonewicke Drive. Cost for DPW material is approximately \$1,100 each. This cost does not include labor. Mayor Abraham wants a list of what inlets have collapsed and which inlets are in danger of failing. The cost for repair would be burdensome and the Township may need to repair them as they fail. The Township Committee wants to know what a reputable construction company would charge for these repairs. Mayor Abraham's preference is to have the DPW perform the work due to their quality of work but due to the amount of inlets that need to be repaired that may not be an option. Inlets take a full crew to repair one inlet a day. Comm. Swift would like to hire additional help for the DPW such as mowing at the park that would free up additional manpower. Township Committee will look at hiring additional help when looking at the budget for 2016 since there is no money in the budget this year. Comm. Pfefferle noted that the Township can look at outsourcing the mowing at the park to free up manpower. The Township Committee will refer to the Park/Rec Commission to obtain quotes for a one year contract. DPW Foreman Glen Griffith noted that not only is the park mowed but mowing is also needed at the disk golf, park garage, and detention basins need to be mowed at least twice a year. The DPW mows the Township detention basins at the park every 2-3 weeks. Township Clerk Michele Bobrowski will reach out to Twp. Engineer Rob O'Brien as to the status of survey completion that was started by former Twp. Engineer Ralph Runge regarding all the detention basins that are the responsibility of the Township.

DPW Storage Building:

Comm. Swift noted that the original idea was to build a 120 ft. x 70ft. DPW garage with a wash basin. The garage is anticipated to be built where the tax trailer was located on Hickory Corner Road. Comm. Swift noted that if the garage is shortened to 120 ft. x 50 ft. a truck and trailer can't be backed up in a garage at that size. If some equipment that is not presently being used can be kept at the park barn than a 120 ft. x 50ft. garage would be possible. Without the use of the park barn the proposed DPW garage would need to be bigger. Comm. Swift would like to see a 24 ft. wide garage so that workers can walk around equipment with the pressure washer. A full size truck with a plow is 30 ft. long. In 2014, an approximately 124 ft. x 70 ft. garage was proposed at a cost of \$460,000.00 plus site work. DPW Foreman Glen Griffith is looking to have 6 bay doors. The bond is for 20 years. DPW Foreman Glen Griffith will gather prices for the DPW garage in two different sizes and will get prices for a wash bay. DPW Foreman Glen Griffith will go before the Planning Board once a size is determined. Comm. Pfefferle would like to see a smaller garage built so that the money that is saved from building a smaller garage could be used for future capital projects that are looming.

PUBLIC COMMENT FOR AGENDA RELATED MATTERS ONLY:

- Resident Bill Fritsche of Airport Road asked how many doors will be installed on the new DPW garage. Mr. Fritsche noted that there could be cost savings to the garage by not having so many bay doors.
- John Anderson from JCP & L was present and noted that the Alexandria Township Municipal building has been updated to the critical facility data base.
- Resident Ed Mack of Woolf Road had questions on the proposed electronic payment resolution. Mr. Mack questioned the electronic check process. Mayor Abraham explained that if a paper check is issued there will be no charge from the bank but an electric transfer requires a convenience fee charge.
- Resident on Milford-Frenchtown Road questioned the status of the Rating System. Mayor Abraham noted that OEM Coordinator Jerry Twardy has not been available. The Township Committee will be reaching out to him again.

OLD BUSINESS:

Ordinance 2015-002 Wireless Telecommunication ***Re-Introduction 2nd Reading:***

Comm. Pfefferle made a motion, seconded by Comm. Swift to open public comment.

ROLL CALL: Comm. Swift, yes; Comm. Pfefferle, yes; Mayor Abraham, yes.

Public Comment: A resident present asked if the ordinance being considered is in response to an impending tower. Mayor Abraham noted that the pending ordinance is in response to State and Federal regulations. Comm. Pfefferle made a motion, seconded by Comm. Swift to close public hearing. **ROLL CALL: Comm. Swift, yes; Comm.**

Pfefferle, yes; Mayor Abraham, yes. Comm. Swift made a motion, seconded by Comm. Pfefferle to approve Ordinance 2015-02 on second reading. **ROLL CALL: Comm. Swift, yes; Comm. Pfefferle, yes; Mayor Abraham, yes.**

ORDINANCE No. 2015 -02

AN ORDINANCE OF THE TOWNSHIP OF ALEXANDRIA AMENDING CHAPTER 115, LAND USE, ARTICLE IV: DISTRICTS, ARTICLE V: USE REGULATIONS, ARTICLE XI: ADMINISTRATION AND ARTICLE XIV: SITE PLAN REVIEW, TO CODIFY THE PROVISIONS OF THE MUNICIPAL LAND USE LAW REQUIRING MUNICIPAL SITE PLAN EXEMPTION FOR CERTAIN WIRELESS TELECOMMUNICATIONS COLLOCATION APPLICATIONS AND TO CODIFY THE PROVISIONS OF FCC RULE § 1.40001 REQUIRING 60-DAY APPROVAL FOR CERTAIN CLASSES OF WIRELESS TELECOMMUNICATIONS COLLOCATION APPLICATIONS, ESTABLISHING FEES THEREFORE, AND AMENDING USE REGULATIONS TO PERMIT WIRELESS TELECOMMUNICATION TOWERS AS CONDITIONAL PERMITTED USES IN ALL ZONING DISTRICTS IN ALEXANDRIA TOWNSHIP EXCEPT THE IC ZONE.

Be it ordained that:

Section 1. Chapter 115: Land Use, Article XI: Administration, § 115-71 Application and appeals to Planning Board and Board of Adjustment, is hereby supplemented and amended by adding the following new Subsection § 115-71.C.(18) and new Section § 115-71.F.-1., as follows:

§ 115-71.C.(18) Site plan exempt application fee: \$450.00

§ 115-71. F.-1. Site plan exempt application escrow deposit for
professional review: \$1,500.00

Section 2. Chapter 115: Land Use, Article XIV: Site Plan Review, § 115-99 Exemptions, is hereby supplemented and amended by adding the following new subsections: §§ 115-99.C.(1) and (2) as follows:

C. Wireless Telecommunications collocation site plan waiver.

(1) M.L.U.L. wireless communications equipment collocation pursuant to N.J.S.A. 40:55D-46.2.

(a) An application for development to collocate wireless communications equipment on a wireless communications support structure and / or in an existing equipment compound in accordance with N.J.S.A. 40:55D-46.2 shall not be subject to site plan review in accordance with the following provisions:

[1] the wireless communications support structure shall have been previously granted all necessary approvals by the appropriate approving authority;

[2] the proposed collocation shall not increase

(a) the overall height of the wireless communications support structure by more than ten percent of the original height of the wireless communications support structure,

- (b) the width of the wireless communications support structure, or (c) the square footage of the existing equipment compound to an area greater than 2,500 square feet;
- [3] the proposed collocation complies with the final approval of the wireless communications support structure and all conditions attached thereto and does not create a condition for which variance relief would be required pursuant to P.L.1975, c.291 (C.40:55D-1 et seq.), or any other applicable law, rule or regulation.
- (b) For purposes of this section, the following definitions apply:
 - “Equipment compound” - means an area surrounding or adjacent to the base of a wireless communications support structure within which is located wireless communications equipment.
 - “Collocate” means to place or install wireless communications equipment on a wireless communications support structure.
 - “Wireless communications equipment” - means the set of equipment and network components used in the provision of wireless communications services: including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cabling, and coaxial and fiber optic cable, but excluding wireless communications support structures.
 - “Wireless communications support structure” - means a structure that is designed to support, or is capable of supporting, wireless communications equipment, including a monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, or building.
- (c) Submission requirements:
 - [1] An applicant pursuant to N.J.S.A. 40:55D-46.2 shall submit an application, plans and documents for a proposed wireless communications equipment collocation and site plan exemption identifying (1) existing equipment compound, (2) wireless communications equipment, (3) wireless communications support structure at the site and (4) the proposed collocation installation, modifications with all equipment and components to the Alexandria Township Zoning Officer for review and confirmation that the proposed collocation conforms to the requirements of § 115-99.C.(1) (a) [1]-[3].
 - [2] Application Fee: The applicant shall submit an application fee pursuant to §115-71 C.(18)
 - [3] Escrow Fee: The applicant shall establish an escrow account and deposit the required fee pursuant to §115-71 F.-1.
 - [4] Copies of all Alexandria Township approvals granted for the existing tower, structure(s), antennas, compound, equipment cabinets, landscaping, utilities, etc. shall be submitted to the Zoning Officer.
 - [5] Plans and specifications identifying existing equipment compound, wireless communications equipment, wireless communications support structure and proposed collocation wireless communications equipment and improvements at the collocation wireless

communications facility shall be submitted to the Zoning Officer. Plans and specifications shall identify the owner/operator/responsible party for each wireless communications installation on site, including equipment compound, wireless communications equipment, wireless communications support structure, etc. The plans and specifications shall be fully dimensioned and appropriately scaled for the Zoning Officer to confirm existing and proposed equipment compound, wireless communications equipment, wireless communications support structure and compliance with each of the provisions of § 115-99.C.(1) (a) [1]-[3] and N.J.S.A. 40:55D-46.2.

(d) Application review.

- [1] Within 10 days of receipt of an application for a proposed wireless communications equipment collocation and site plan exemption, the Zoning Officer shall review the application and verify whether the proposed collocation application and submission documents are complete. The Zoning Officer shall inspect the proposed collocation wireless communications facility and verify the accuracy of plans and documents submitted and that the proposed collocation conforms to the requirements of § 115-99.C.(1)(a) above. The Zoning Officer may consult with the Township or Board Engineer, Planner and Attorney in the review of the application and submission documents and conduct of inspections. All costs associated with application review shall be paid by the applicant in accordance with N.J.S.A. 40:55D-53.2.
- [2] Upon finding that required plans and documents have been submitted and that (1) the improvements at the proposed collocation wireless communications facility are completely and accurately detailed in the submission, and (2) that the proposed wireless communications equipment collocation conforms to each of the requirements of § 115-99.C.(1) (a) [1]-[3] and N.J.S.A. 40:55D-46.2., the Zoning Officer shall issue a zoning permit and a letter to the applicant indicating that the proposed wireless communications equipment collocation and site plan exemption has been approved pursuant to N.J.S.A. 40:55D-46.2.
- [3] A copy of a zoning permit and letter approving a wireless communications equipment collocation shall be provided to the Township Committee, Planning Board, and Zoning Board of Adjustment.
- [4] The provision of this section may not be combined with the provision of § 115-99.C.(2) to determine the eligibility of a proposed collocation installation under the provisions of this section and M.L.U.L. 40:55D-46.2.

**(2) Existing tower or base station modification / Eligible Facilities
Request site plan waiver pursuant to § 6409 of the Spectrum Act (codified at 47 U.S.C. 1455) and FCC Rule § 1.40001.**

- (a) An Eligible Facilities Request for a modification to an existing tower or base station pursuant to § 6409 of the Spectrum Act (codified at 47 U.S.C. 1455) and

FCC Rule § 1.40001 shall not be subject to site plan review in accordance with the following provisions:

(b) For purposes of this section, the following definitions apply:

“Base Station” - A structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

(i) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(ii) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).

(iii) The term includes any structure other than a tower that, at the time the relevant application is filed with the State or local government under this section, supports or houses equipment described in paragraphs (b)(1)(i)-(ii) of this section that has been reviewed and approved under the applicable zoning process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.

(iv) The term does not include any structure that, at the time the relevant application is filed with the State or local government under this section, does not support or house equipment described in paragraphs (b)(1)(i)-(ii) of this section.

“Collocation” - The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

“Eligible Facilities Request” - Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

- (i) collocation of new transmission equipment;
- (ii) removal of transmission equipment; or
- (iii) replacement of transmission equipment.

“Eligible Support Structure” - Any tower or base station as defined in this section, provided that it is existing at the time the relevant application is filed with the State or local government under this section.

“Existing” - A constructed tower or base station is existing for purposes of this section if it has been reviewed and approved under the applicable zoning process, or under another State or local regulatory review process is existing for purposes of this definition.

“Site” - For towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.

“Substantial Change” - A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

- (i) for towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;

- (A) Changes in height shall be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings’ rooftops; in other circumstances, changes in height shall be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.

- (ii) for towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

- (iii) for any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

- (iv) it entails any excavation or deployment outside the current site;

- (v) it would defeat the concealment elements of the eligible support structure; or
- (vi) it does not comply with conditions associated with the local approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in § 1.40001(b)(7)(i)-(iv).

“Transmission Equipment” - Equipment that facilitates transmission for any FCC Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

“Tower” - Any structure built for the sole or primary purpose of supporting any FCC Commission-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

(c) *Review of Applications.* An Eligible Facilities Request for modification of an eligible support structure that does not substantially change the physical dimensions of such structure shall be approved in accordance with the following procedures.

[1] Application and Fees:

- (a) An applicant pursuant to FCC Rule § 1.40001 shall submit an application, plans and documents identifying all existing (1) base station, (2) support structure and (3) transmission equipment and (4) towers along with plans for an Eligible Facilities Request to the Alexandria Township Zoning Officer for approval of an “Eligible Facilities Request” that will not result in a “substantial Change” pursuant to § 115-99.C.(2) (b) above.
- (b) Application Fee: The applicant shall submit an application fee pursuant to §115-71 C.(18)
- (c) Escrow Fee: The applicant shall establish an escrow account and deposit the required fee pursuant to §115-71 F.-1.

[2] *Documentation Requirement for Review.* When an applicant asserts in writing that a request for modification is covered by this section, the applicant shall accompany its written request with the following information:

- (a) Copies of all resolutions of approval and plans approved by the municipality for all Existing licensed and unlicensed installation components identifying existing and approved dimensions of base station, site, transmission equipment, and tower and/or eligible support structure.
- (b) A plan, with sufficient graphics and detail depicting the proposed Eligible Facilities Request, including and showing proposed dimensions for modifications to the base station, site (including leased or owned property surrounding the tower and any access or utility easements currently related to the site), transmission equipment and tower and/or eligible support structure. The plan shall be keyed to the statement provided pursuant to [c] below and shall include details and dimensions for all Existing licensed and unlicensed installation components pursuant to [a] above and clearly distinguishing existing facilities from the Eligible Facilities Request. Ownership for all non-Eligible Facilities Request components of the base station, site (including leased or owned property surrounding the tower and any access or utility easements currently related to the site), transmission equipment and tower and/or eligible support structure shall be detailed on the plans and keyed to an analysis of existing facilities provided pursuant to [c] below.
- (c) A statement documenting that the proposed Eligible Facilities Request is not a Substantial Change pursuant to the limitations set forth in § 1.40001(b)(7) (see definition of “Substantial Change” in definitions above), which shall be keyed to the plan provided pursuant to [b] above and which shall be sufficiently detailed to demonstrate how each of the criterion set forth in § 1.40001(b)(7) is satisfied so as not to constitute a Substantial Change. The Statement shall include an analysis that compares dimensions of existing facilities to the proposed Eligible Facilities Request, which shall identify ownership of all approved existing facilities.
- (d) If the original approval and/or subsequent approvals granted for the existing site and associated facilities thereon included concealment elements, including base station structures, fencing, landscaping, or conditions to mitigate visual impact analysis, the applicant shall provide a plan identifying each component thereof and a narrative description of how the approved concealment elements shall not be defeated by the proposed Eligible Facilities Request. If any of the concealment provisions of prior approvals require maintenance and/or replacement, the Eligible Facilities Request shall include a proposal setting forth proposed maintenance and/or replacement accordingly.
- (e) The application shall include a detailed list of all conditions of approval for the original approval and/or subsequent approvals granted for the existing site and associated facilities thereon. The list shall be accompanied by a statement explaining how the proposed Eligible Facilities Request is consistent with each condition of approval previously granted. The application for the proposed Eligible Facilities Request shall

include a proposal to address each prior condition of approval that reasonably applies to the application.

[3] *Timeframe for Review.* Within 60 days of the date on which an applicant submits a request seeking approval under this section, the State or local government shall approve the application unless it determines that the application is not covered by this section.

[4] *Tolling of the Timeframe for Review.* The 60-day period begins to run when the application is filed, and may be tolled only by mutual agreement or in cases where the reviewing State or local government determines that the application is incomplete.

(a) To toll the timeframe for incompleteness, the reviewing State or local government must provide written notice to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information. Such delineated information is limited to documents or information meeting the standard under paragraph (c)[2] of this section.

(b) The timeframe for review begins running again when the applicant makes a supplemental submission in response to the State or local government's notice of incompleteness.

(c) Following a supplemental submission, the State or local government will have 10 days to notify the applicant that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this paragraph (c)[4]. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

(4) *Failure to Act.* In the event the Zoning Officer fails to approve or deny a request seeking approval under this section within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the applicable reviewing authority in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

(5) *Remedies.* Applicants and reviewing authorities may bring claims related to Section 6409(a) of the Spectrum Act (codified at 47 U.S.C. 1455) to any court of competent jurisdiction.

Section 3. Chapter 115: Land Use, Article V: Use Regulations, Section § 115-22.F.(5) F-5 Wireless Telecommunications Equipment and Facilities, Subsection (f) is hereby amended to repeal “, in the IC District only,” so that Subsection § 115-22.F.(5) F-5 (f) will now read as follows:

“(f) Wireless telecommunications towers shall meet the following conditions:”

Section 4. Chapter 115: Land Use, Article V: Use Regulations, Section § 115-22.F.(5) F-5 Wireless Telecommunications Equipment and Facilities, Subsections (f)[6][a] & [b] are hereby amended to repeal existing § 115-22.F.(5) (f)[6][a] & [b], and replacing them with new Subsections § 115-22.F.(5) (f)[6][a] & [b], to read as follows:

- “[a] Minimum lot size: 10 acres in the AR Zone
6 acres all other zones, but not less than two acres
on nonconforming substandard size lots.”
- [b] Minimum setback from any property line: twice the height of the tower.”

Section 5. Chapter 115: Land Use, Article IV: Land Use, Article IV: Districts, Subsection “F-5,” “uses permitted by conditional approval,” in Sections §115-10.A.(2), §115-11.A.(2), §115-12.A.(2), §115-14.A.(2), 115-15.A.(2), §115-16.A.(2) and §115-18.A.(2) are hereby amended to read as follows:

“F-5 Wireless telecommunications equipment and facilities and wireless telecommunications towers.”

Section 6. All other provisions of Chapter 115 not modified herein shall remain unchanged and in full force and effect.

Section 7. Severability. If the provisions of any article, section, subsection, paragraph, subdivision, clause or application of the Ordinance shall be judged invalid by any Court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph, subdivision, clause or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 8. This ordinance may be renumbered for codification purposes.

Section 9. Effective Date. This Ordinance shall take effect immediately upon final passage, publication according to law, and filing with the Hunterdon County Planning Board.

ATTEST:

Michele Bobrowski, CMC, Township Clerk

Paul Abraham, Mayor

NEW BUSINESS:

- Curtis Paper Mill

Received a notice from successors of the Curtis Paper Mill that they are going to start demolition of the buildings. Hazard mitigation has ended. Traffic will come through Alexandria Township hauling the demo debris. Comm. Swift made a motion, seconded by Comm. Swift for a resolution to be drafted requesting the County restrict traffic during business hours and negotiate repair of the roads. **ROLL CALL: Comm. Swift, yes; Comm. Pfefferle, yes; Mayor Abraham, yes.**

- Resolution 2015-058 Electronic Payment Acceptance

Comm. Pfefferle made a motion, seconded by Comm. Swift to approve Resolution 2015-058. **ROLL CALL: Comm. Swift, yes; Comm. Pfefferle, yes; Mayor Abraham, yes.**

RESOLUTION# 2015-058 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR ELECTRONIC FUND ACCEPTANCE PAYMENTS

WHEREAS, the Government Electronic Payment Acceptance Act (N.J.S.A. 40A:5-44, et. seq., P.L. 1995, c.325) (“Act”) authorizes a local unit to establish a card payment system or electronic funds transfer system for the collection of charges, taxes, fees, assessments, fines, or other obligations, and

WHEREAS, pursuant to the “Act” a municipality is authorized to assess and collect service charges related to obligations owed to or collected by the local unit when credit cards, debit cards or electronic funds transfer systems are utilized

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Alexandria, pursuant to the provisions of the Act and the rules and regulations established by the Division of Local Government Services, hereby institutes an electronic payment system whereby the Township shall accept payment by credit cards, debit cards, or electronic checks via internet service for the payment of property taxes, vital statistic fees, building department fees, dog license fees and other fees and assessments or other obligations. When such payments are made via internet, the Township shall also provide for the delivery of electronically transmitted receipts.

BE IT FURTHER RESOLVED that a convenience charge will be charged to cardholders who make credit card, debit cards or electronic check payments online or in person. A \$3.00 min. charge is assessed for payments under \$122.00 and 2.45 % charge for payments that exceed \$122.00. A convenience charge of \$1.50 will be applied for electronic check payments online. Cardholders will be advised of said convenience fees prior to finalizing payment.

BE IT FURTHER RESOLVED that the Township shall continue to also accept payments made by non-electronic means.

BE IT FURTHER RESOLVED that this service is not authorized for the payment of delinquent local unit obligations or for the redemption of local unit liens.

BE IT FURTHER RESOLVED this resolution shall take effect immediately.

CERTIFICATION

I, **Michele Bobrowski**, Clerk of the Township of Alexandria, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee on the 8th day of July, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 8th day of July, 2015.

Michele Bobrowski, RMC
Municipal Clerk

• Resolution 2015-054 Rejection of Proposal as Non-Responsive to the Township's Substantive Requirements As Set Forth In Its Proposal Request
Comm. Pfefferle made a motion, seconded by Comm. Swift to approve Resolution 2015-054. **ROLL CALL: Comm. Swift, yes; Comm. Pfefferle, yes; Mayor Abraham, yes.**

RESOLUTION 2015-054 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR REJECTION OF PROPOSAL AS NON-RESPONSIVE TO THE TOWNSHIP'S SUBSTANTIVE REQUIREMENTS AS SET FORTH IN ITS PROPOSAL REQUEST

WHEREAS, the Township of Alexandria Committee authorized the Township Clerk to obtain proposals for an alarm/security system to service the new Alexandria Township municipal building, as well as the adjacent Township-owned barn located at 242 Little York-Mt Pleasant Road, and

WHEREAS, the estimated cost of the alarm/security system was anticipated to be below the minimum bid threshold for public bidding; and

WHEREAS, the request for proposals specifically requested a "middle of the road camera, not the cheapest, but not the most expensive on the market" and

WHEREAS, three proposals were received, one from Sawyer's Control for \$9,075.00, another from Cooper Home Systems for \$6,325.00 and the third from F.A.S.T. for \$5,276.00; and

WHEREAS, the Alexandria Township Committee reviewed and analyzed the aforementioned proposals at its meeting on May 13, 2015 and determined that the lowest priced proposal (from F.A.S.T.) was not in conformance with the requirements specified by the Township for its alarm/security system because it did not provide any information about the cameras to be sold to the Township to enable the Committee to determine if the price was for a "middle of the road" camera or not; and

WHEREAS, the next-lowest priced proposal, from Cooper Home Systems, included the product specifications for the camera systems it was proposing so that the Committee was able to conclude that its camera in fact met the Township's specified substantive requirements.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Alexandria, County of Hunterdon, State of New Jersey that for the reasons set forth above the contract for the alarm/security systems for the new municipal building and adjacent park barn is hereby awarded to Cooper Home Systems in the amount of \$6,325.00.

BE IT FURTHER RESOLVED that the Mayor, Deputy Mayor and Township Clerk, as may be applicable, are authorized to enter into said contract on behalf of the Township Committee.

BE IT FURTHER RESOLVED, that the Alexandria Township Committee rejects the proposal submitted by F.A.S.T. as non-responsive to the Township's substantive requirements as set forth in its proposal request.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Township of Alexandria

By:

Paul Abraham, Mayor

Certified to be a true copy of a Resolution adopted on July 8, 2015

By:

Michele Bobrowski, RMC, Township Clerk

- Resolution 2015-056 Plenary Retail Consumption License for The Grill at the Pittstown Inn
- Comm. Swift made a motion, seconded by Comm. Pfefferle to approve Resolution 2015-056. **ROLL CALL: Comm. Swift, yes; Comm. Pfefferle, yes; Mayor Abraham, yes.**

RESOLUTION # 2015-056 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR RENEWAL OF THE PLENARY RETAIL CONSUMPTION LICENSE FOR THE GRILL AT THE PITTSTOWN INN.

BE IT RESOLVED that Plenary Retail Consumption License No. 1001-33-002-0010 be issued to GSW Hospitality, LLC t/a The Grill at the Pittstown Inn, 350 Pittstown Road, Pittstown, New Jersey for a fee of \$2,000.00 and to become effective 12:00 a.m. July 1, 2015 and to expire midnight, June 30, 2016.

SPECIAL CONDITIONS

1. No sales on weekdays between the hours 2:00 a.m. and 7:00 a.m.
2. No sales on Sunday between the hours 2:00 a.m. and 10:30 a.m.
3. Open Christmas Eve until 5:00 a.m. December 25th
4. Open New Year's Eve until 5:00 a.m. January 1, 2016

License is subject to the proper execution of renewal application forms.

NOW, THEREFORE BE IT RESOLVED that Michele Bobrowski, Township Clerk is hereby authorized to issue, sign, seal and deliver said license to the licensee prior to midnight September 18, 2015.

Paul Abraham, Mayor

Attest: July 8, 2015

Michele Bobrowski, RMC, Township Clerk

Certified to be a true copy of a Resolution adopted by the Alexandria Township Committee on July 8, 2015.

Michele Bobrowski, RMC, Township Clerk

BILL LIST:

Comm. Pfefferle made a motion, seconded by Comm. Swift to approve the payment of the bills as listed. **Roll Call: Comm. Pfefferle yes; Comm. Swift, yes; and Mayor Abraham, yes.**

Current Fund	\$ 77,164.31
Other Trust Fund:	
1.) Reserves	9,430.40
2.) Grants	9,244.75
General Capital Fund	
Ordinances	50,643.21
COAH	
Farm Preservation	
Budget and App. Reserves	819.31
Dog Fund	2,418.60
Developers Escrow	
1.) Bank of America	
2.) Fulton Bank	
3.) Hopewell Valley	630.10
TOTAL:	\$ 150,350.68

Other disbursements	
Regional School Taxes	886,205.00
Local School	<u>1,572,926.00</u>
	2,459,131.00

Total payments presented to the Township Committee \$ 2,609,481.68

ENGINEER'S REPORT:

Mayor Abraham read the following report:

1.) Alexandria Estates (Toll Brothers) – Road Condition

DPW Foreman Glen Griffith doesn't think that the \$25,000.00 to be placed in escrow will be sufficient. He will prepare costs for the inlet box repairs.

2.) New Municipal Building

07/01/2015 Reviewing warranty and maintenance bond with Twp. Atty. Dragan.

Mobilease will be sending operation and maintenance manuals to Township Clerk

Michele Bobrowski this week,

3.) Garage Site Remediation/LSRP

07/01/2015 On-site new potable well (NPW) results have continuously indicated no detections of ground water contaminants. Hatch Mott MacDonald (HMM) is currently proceeding with a draft Remedial Action Report (RAR), which will be a comprehensive document requiring the review and summary of historic milestone documents to compare historic data and methods to new NJDEP regulations (required by NJDEP) and an evaluation of 2012-2014 sampling data with ground water contour maps.

The source area monitoring well (OPW) remains significantly above the NJDEP Ground Water Quality Standards (GWQS) for MTBE, but decreased from 2013. All other monitoring wells and containments exhibited concentrations below the GWQS, indicating a decrease in concentrations. The most recent ground water classification exception area (CEA) duration was calculated in 2007 to be 10.75 years or until 2018. HMM is currently preparing the reporting and approach for a Ground Water Remedial Action Permit to be included within the RAR, which requires statistical analyses and evaluation of long term monitoring results that must indicate a continual decreasing trend of contaminants over 8 rounds of sampling occurred during different times of the year to account for seasonal fluctuations. HMM is evaluating the potential for a Restricted Response Action Outcome (RAO) approach that may remove the annual remediation fee with the addition of the permit, thereby providing future cost savings to the Township.

4.) Pepe Property Environmental Investigation.

On going

5.) Hemingway Estates, B-9, L-3

06/25/2015-Working with DPW Foreman Glen Griffith to determine best method for developer to repair/replace existing stabilized base course.

Township Clerk will reach out to Mobilease and find out about sound proofing executive meeting room. Need to determine what insulation was used.

APPROVAL OF MINUTES:

- June 10, 2015 Township Meeting
- June 10, 2015 Executive Session Meeting

Comm. Pfefferle made a motion, seconded by Comm. Swift to approve the above minutes. **ROLL CALL: Comm. Swift, yes; Comm. Pfefferle, yes; Mayor Abraham, yes.**

PUBLIC COMMENT ON GENERAL MATTERS:

- Resident, Judy Tucker noted that there was a Trail Pace a week ago. Approximately 50 riders rode through trails. Raised over \$1,000.00 for America's Grow-A-Row. AEA having another barn tour on Sunday-Oct. 11th-Save the date
- Resident, Floyd Evans wanted to congratulate the Township Committee on the pace of moving things along for the Township Municipal Building.

CORRESPONDENCE:

4-Day walking pilgrimage from Ss. Peter & Paul Church, Great Meadows, NJ to our Lady of Czestochowa Shrine, Doylestown, PA on Friday, August 7th. Walkers will be coming through our township via the following roads in the afternoon:

- Mechlin Corner Road (Rt. 625)
- Hog Hollow Road
- Palmyra Corner Road
- Creek Road
- Across bridge in Frenchtown NJ into Tinicum County, PA

The 2015 Township Newsletter was mailed out this week. Check your mailboxes.

Comm. Swift made a motion, seconded by Committee Pfefferle to go into Executive Session. **ROLL CALL: Comm. Swift, yes; Comm. Pfefferle, yes; Mayor Abraham, yes.**

Motion to Approve Open Public Meeting Resolution for EXECUTIVE SESSION: Open Public Meetings Act RESOLUTION- Executive Session

WHEREAS, N.J.S.A. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED by the Township of Alexandria, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
 - _____ A confidential or excluded matter under Federal or State Law or Court Rule.
 - _____ A matter involving information that may impair the Township's rights to receive funds from the United States Government.
 - _____ A matter constituting an unwarranted invasion of an individual's privacy rights.
 - _____ Collective Bargaining Agreement or negotiation of the Agreement.
 - _____ Matters involving the purchase, lease or acquisition of real property with public funds which it could adversely affect the public interest if discussion were disclosed.
 - _____ Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.

X Pending or anticipated litigation or contract negotiations in which the public body is or may become a party.

Mt. Laurel
DPW Contract
Township Park
Beneduce Vineyards

 Matters falling within the attorney-client privilege.

 X Personnel matters involving a specific employee or officer of the Township.

Michele Bobrowski
Aram Papazian

 Deliberations of the Township occurring after a public hearing that may result in the imposition of a specific penalty or suspension or loss of a license or permit.

3. It is anticipated at this time that the above matter will be made public: at the conclusion of the litigation and at such time as attorney client confidentiality is no longer needed to protect confidentiality and litigation strategy.
4. The executive session minutes will be placed on file in the township clerk's office, and will be available to the public as provided for by New Jersey law.
5. This Resolution shall take effect immediately .

MOTION TO RETURN TO PUBLIC SESSION:

Comm. Pfefferle made a motion, seconded by Comm. Swift to return to Public Session.

ROLL CALL: Comm. Pfefferle, yes; Comm. Swift, yes and Mayor Abraham, yes.

Comm. Pfefferle made a motion, seconded by Comm. Swift to have Township Clerk Michele Bobrowski write a letter to Kocsis Farm in response to a letter that they forwarded to the Township Committee on haying the Township Park. **ROLL CALL: Comm. Pfefferle, yes; Comm. Swift, yes, Mayor Abraham, yes.**

EXECUTIVE SESSION:

The following matters were discussed in Executive Session:

- Litigation/Mt. Laurel Housing:

Township Committee received a copy of the Mt. Laurel Declaratory Judgment filed by Special COAH Atty. Drill. Special COAH Atty. Drill met his time frame obligations and has communicated with the Planning Board.

- Contract Negotiations/DPW Contract:

Mayor Abraham has sent a letter to the DPW indicating that the Township Committee would like to proceed with contract negotiations.

- Litigation/Beneduce Vineyards:

Matter to stay in Executive Session

- Personnel Matters/Michele Bobrowski:

Matter to stay in executive session

- Contract Negotiations/Park Maintenance-Kocsis Letter:

Township Clerk Michele Bobrowski will send a letter to Kocsis Farm stating Township is not interested in pursuing their unsolicited offer.

- Personnel Matters/Aram Papazian:

Planning Board Chair Papazian signed a three page conflict of interest affidavit indicating that he will not have a conflict of interest with COAH. Planning Board Chair Papazian will remain on the COAH Sub-Committee which also includes: Comm. Pfefferle, Township Planner David Banisch, and Open Space Chair Bill Fritsche.

MOTION TO ADJOURN

Comm. Swift made a motion, seconded by Comm. Pfefferle to adjourn. **ROLL CALL:** Comm. Pfefferle, yes; Comm. Swift, yes; and Mayor Abraham, yes. **Meeting Adjourned at 10:01 PM.**

Respectfully Submitted:
Michele Bobrowski, RMC
Township Clerk

I hereby certify that I have reviewed these Minutes of the Township Committee Meeting of July 8, 2015 and certify that said Minutes were approved unanimously by the Township on the 9th day of September 2015.

Paul Abraham, Mayor